

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

JAMES HAYDEN,

Plaintiff

vs.

2K GAMES, INC. and TAKE-TWO
INTERACTIVE SOFTWARE, INC.,

Defendants

Case No. 1:17-cv-02635

Judge Christopher A. Boyko

PLAINTIFF'S SUPPLEMENTAL DEPOSITION DESIGNATIONS

The attached document includes Plaintiff James Hayden's supplemental affirmative deposition designations. Mr. Hayden has designated prior testimony of the following witnesses that Mr. Hayden may submit as trial evidence. Should Take-Two decide not to call such witnesses, Mr. Hayden reserves the right to designate any prior testimony of any of these witnesses. Mr. Hayden's designation of particular testimony is not an admission that such testimony is appropriate for use by Take-Two at any trial in this matter. Mr. Hayden has endeavored to include on its Exhibit Index all documents discussed in the below designated testimony. To the extent any such exhibit was inadvertently omitted, it is to be considered included within the list of exhibits Mr. Hayden may introduce at trial. Mr. Hayden reserves the right to use any and all of his initial designations as counter-designations to Take-Two's initial designations. Mr. Hayden also reserves the right to supplement his designations, including designations for authenticity purposes. Mr. Hayden further reserves the right to use any deposition testimony that does not appear in these designations for purposes of impeachment. Mr. Hayden continues his investigation and trial preparations and reserves the right, in appropriate circumstances and in accordance with all applicable Federal Rules, Local Rules and Court Orders, to amend, supplement, and/or withdraw these designations, including, but not

limited to, in response to further negotiations between the parties, Court orders and rulings, and other developments in the case.

Plaintiff's Designations	Defendants' Objections to Plaintiff's Designations	Defendants' Counter Designations	Plaintiff's Objections to Defendants' Counter Designations
Witness: Alfie Brody			
8:10 – 9:19			
11:11 – 17:9			
19:10 – 21:11			
24:23 – 32:17			
35:22 – 38:21			
40:12 – 45:4			
49:24 – 52:25			
53:9 – 66:15			
71:11 – 96:16			
96:23 – 110:10			
111:2 – 121:11			
124:23 – 129:5			
130:12 – 141:5			
145:5 – 145:10			
152:1 – 161:15			
176:9 – 178:17			
Witness: Anton Dawson			
7:20 – 10:22			
13:4 – 14:7			
17:22 – 30:14			
38:10 – 39:11			
46:23 – 52:18			
54:10 – 63:17			
75:2 – 87:20			
92:17 – 93:19			
94:1 – 104:14			
106:22 – 117:18			
118:12 – 20			

Plaintiff's Designations	Defendants' Objections to Plaintiff's Designations	Defendants' Counter Designations	Plaintiff's Objections to Defendants' Counter Designations
128:7 – 130:6			
Witness: Michael Stauffer			
5:14 – 18:24			
22:22 – 27:4			
30:8 – 25			
32:4 – 42:12			
53:13 – 54:13			
66:7 – 90:16			
96:18 – 111:12			
115:9 – 141:3			
142:13 – 23			
Witness: Tristan Thompson			
27:18 – 29:14			
30:18 – 21			
30:22 – 32:3			
47:6 – 16			
54:15 – 56:24			
68:11 – 69:21			
70:24 – 71:24			
75:16 – 19			
111:2 – 115:8			
Witness: Corie Zhang			
10:10 – 19			
12:10 – 11			
13:1 – 14:15			
15:20 – 21:23			
24:6 – 38:3			
41:2 – 51:4			
51:11-61:21			
62:12-15			
63:4 – 70:9			
71:8 – 75:8			
77:22 – 83:4			
86:12 – 93:17			

Plaintiff's Designations	Defendants' Objections to Plaintiff's Designations	Defendants' Counter Designations	Plaintiff's Objections to Defendants' Counter Designations
94:13 – 97:3			
99:22-100-13			
101:19-117:1			
120:12 – 122:2			
123:23-132:1			
137:3 – 141:10			
142:16 – 150:7			
162:2 – 164:5			
165:12 – 167:19			
Witness: Winnie Hsieh			
6:24 – 7:6			
8:20 – 10:3			
12:6 – 13:20			
15:24-18:7			
20:8 – 21:16			
24:2 – 36:6			
38:8 – 49:19			
53:14 – 61:3			
63:11 – 66:2			
69:2-21			
73:19 – 74:21			
81:7-14			
85:4 – 89:25			
Witness: LeBron James			
19:20-25			
56:23-58:20			
62:7-13			
66:10-67:11			
73:24-74:2			
76:10-16			
80:19-81:1			
94:25-95:3			
Witness: Danny Green			
9:23-10:25			

Plaintiff's Designations	Defendants' Objections to Plaintiff's Designations	Defendants' Counter Designations	Plaintiff's Objections to Defendants' Counter Designations
24:12-26:7			
26:8-27:13			
26:20-27:13			
30:7-31:17			
32:24-33:7			
34:17-35:15			
38:13-39:20			
52:17-55:4			
60:13-62:6			
81:3-10			
87:16-90:3			
95:22-97:25			
125:13-127:6			
127:10-129:16			
Witness: Joel Friesch			
7:4-8:24			
23:14 – 27:22			
28:22 – 36:22			
37:3-46:7			
47:4-48:18			
49:21 – 52:16			
54:6 – 56:21			
59:5 – 77:24			
87:23 – 95:10			
107:5 – 21			
108:2 – 118:12			
119:16 – 122:2			
123:21-125:20			
127:8-19			
128:18-129:3			
Witness: Jeff Thomas			
14:10 – 15:24			
16:14-26:23			
26:24-28:13			

Plaintiff's Designations	Defendants' Objections to Plaintiff's Designations	Defendants' Counter Designations	Plaintiff's Objections to Defendants' Counter Designations
28:24 – 79:6			
83:5 – 91:5			
92:25 – 95:25			
97:11 – 99:8			
100:6-116:13			
132:9-135:2			
141:9-150:17			
153:2-154:20			
155:3-156:21			
159:22-163:11			
164:3-7			
167:10 – 22			
170:1-172:17			
174:3 – 23			
176:2 – 178:4			
179:5 - 180:11			
184:7-213:20			
214:20-222:20			
223:1-234:18			
235:7 – 250:23			
251:13 – 257:17			
259:18 – 264:5			
264:17-265:25			
269:22-273:10			
275:14 – 296:4			
298:15-300:3			
Witness: Jason Argent			
12:3 – 10			
16:4 – 26:3			
26:14-29:3			
31:6 – 37:10			
41:6-44:1			
45:18 – 50:23			
53:5-61:17			

Plaintiff's Designations	Defendants' Objections to Plaintiff's Designations	Defendants' Counter Designations	Plaintiff's Objections to Defendants' Counter Designations
63:20 – 82:7			
98:18-100:20			
105:21-106:9			
108:6 – 137:20			
138:16-164:23			
169:7–207:15			
209:19-220:13			
225:9 – 247:19			
251:4 – 16			
260:1-261:9			
262:5-22			
264:4-265:24			
266:18 – 267:5			
269:16 - 276:16			
286:9 – 300:23			
302:19 – 307:6			
313:1-11			

Dated: August 17, 2022

Respectfully submitted,

By: /s/ Andrew Alexander

John S. Cipolla (Ohio Bar No. 0043614)

Daniel J. McMullen (Ohio Bar No. 0034380)

Andrew W. Alexander (Ohio Bar No. 0091167)

Dustin D. Likens (Ohio Bar No. 0097891)

CALFEE, HALTER & GRISWOLD LLP

The Calfee Building

1405 East Sixth Street

Cleveland, Ohio 44114-1607

Telephone: (216) 622-8200

Facsimile: (216) 241-0816

jcipolla@calfee.com

dmcmullen@calfee.com

aalexander@calfee.com

dlikens@calfee.com

Of Counsel

Kimberly A. Pinter (Ohio Bar No. 0084277)

CALFEE, HALTER & GRISWOLD LLP

The Calfee Building

1405 East Sixth Street

Cleveland, Ohio 44114-1607

Telephone: (216) 622-8200

Facsimile: (216) 241-0816

kpinter@calfee.com

CERTIFICATE OF SERVICE

I hereby certify that on August 17, 2022, a copy of the foregoing was filed electronically. Notice of this filing was sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt, and parties may access this filing through the Court's system.

/s/ Andrew Alexander

One of the attorneys for Plaintiff